REMARKS

This reply is in response to the communication dated April 6, 2005 which stated the reply to the Office Action of June 9, 2004 was not fully responsive.

Claims 1, 3, 5-8, 15, 18, 20, 22-28 are now pending in the application. Claims 1, 5, 6, 15, 20 and 22 have been amended. Claims 2, 4, 9-14, 17, 19 and 21 have been canceled. Claims 23-28 have been added.

The Patent Office objected to the information disclosure statement filed April 4, 2001 for failure to comply with the provisions of 37 CFR 1.98(b)5 and MPEP §609.

Applicant respectfully traverses. The publications were received from a search and were supplied to the Patent Office in the filing of an information disclosure statement in accordance with 37 CFR 1.97. All available information has been provided to the Patent Office. If the Examiner believes that the available information that has been provided in the information disclosure statement is insufficient to adequately consider the relevance of the publications, then the Examiner is entitled to not consider the publications' relevance to the pending patent application.

The Patent Office objected to the Title of the invention as not being descriptive. The Title has been amended.

Claims Rejections – 35 USC § 102

The Patent Office rejected claims 1-5, 7-20 and 22 under 35 U.S.C. § 102(e) as being anticipated by Keller, et al., U.S. Patent No. 6,587,404 (Keller).

Claims Rejections – 35 USC § 103

The Patent Office rejected claims 6 and 21 under 35 U.S.C. 103(a) as being unpatentable over Keller, et al., U.S. Patent No. 6,587,404 (Keller).

Applicants respectfully traverse both rejections. Applicants respectfully submit a *prima facie* case of anticipation or obviousness has not been established for any one of claims 1, 15 and 23. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983). Emphasis added. Additionally, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). *See also In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

Applicant respectfully submits claims 1, 15 and 23 include elements which have not been disclosed by Keller. For example, claims 1, 15 and 23 recite a transceiver or docking station capable of transferring content converted to another format to a memory of a portable player. Keller fails to teach, disclose or suggest a transceiver or docking station capable of transferring content converted to another format to a memory of a portable player.

The Patent Office points to Fig. 4, a disc subsystem bus 108 for support of its assertion that Keller discloses a transceiver capable of transferring content converted to another format to a portable player. However, in Keller, content converted to another format is not transferred to a portable player. Rather, the secondary disc recordable drive 108 is housed within the recording device itself, thus the secondary disc recordable drive is not portable. Further, Keller does not disclose a transceiver capable of transferring converted content to a memory of a portable player. In Keller, the secondary disc recordable drive does not contain a memory for storage of converted content.

Consequently, elements of claims 1, 15 and 23 have not been taught by Keller. Thus, claims 1, 3, 5-8, 15, 18, 20, 22-28 should be allowed.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited.

Respectfully submitted,

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